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CUYAHOGA COUNTY CLERK OF COURTS
1200 Ontario Street
Cleveland, Ohio 44113

Court of Common Pleas

New Case Electronically Filed: COMPLAINT
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By: CLAIRE I. WADE 0093174

Confirmation Nbr. 2097453

BRIAN EAST

CV 20 939270

vs.

Judge: EMILY HAGAN

ABARTA COCA-COLA BEVERAGES, LLC

Pages Filed: 4

EXHIBIT

A

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

BRIAN EAST
16220 Kollin Ave.
Cleveland, Ohio 44128

Plaintiff,

V.

ABARTA COCA-COLA BEVERAGES,
LLC
c/o Corporation Service Company
50 West Broad Street, Suite 1330
Columbus, OH 43215

Defendant.

CASE NO.

JUDGE

COMPLAINT

(Jury Demand Endorsed Hereon)

INTRODUCTION

1. Plaintiff Brian East is a United States citizen and Cuyahoga County, Ohio resident.
2. East was an employee of ABARTA Coca-Cola Beverages, LLC (“ABARTA”).
3. ABARTA is a foreign limited liability company with a place of business at 25000 Miles Road, Bedford Heights, Ohio 44146.
4. At all times material herein, ABARTA was East’s “employer” within the meaning of Ohio Rev. Code § 4112.
5. The conduct and injuries giving rise to the claims below arose in Cuyahoga County.
6. Personal jurisdiction is proper over the Defendant pursuant to Ohio Revised Code § 2307.382(A)(1).
7. Venue is proper pursuant to Civ.R. 3(B)(3).

FACTUAL ALLEGATIONS

8. East has been employed by ABARTA since 1995.

9. In 2017 ABARTA promoted East to Night Loading Supervisor.
10. At all times material herein, East was qualified for the position he held.
11. East is Black.
12. Until recently, East was the only black supervisor.
13. East is excluded from the daily cadence meeting, which is held by white supervisors.
14. East is not given the same training as white supervisors.
15. East is paid an annual salary of \$61,000.
16. Upon information and belief, white supervisors with the same, or less, education and experience as East are paid approximately \$30,000 more per year than East.
17. East is excluded from meetings because he is black.
18. East is denied training because he is black.
19. East is paid less than his white peers because he is black.

CAUSE OF ACTION
(Race Discrimination)

20. East incorporates by reference the allegations from the preceding paragraphs as if fully realleged herein.
21. Defendant treats East, who is black, differently than white employees in the same position.
22. Defendant is discriminating against East in respect to the terms and conditions of his employment, on the basis of race.
23. Defendant's discrimination against East is in contravention of Ohio Rev. Code § 4112.
24. As a result of Defendant's unlawful conduct, East has suffered, and will continue to suffer, pecuniary damages and emotional harm.

CONCLUSION

Plaintiff Brian East seeks judgment against the Defendant in an amount in excess of \$25,000 to fully, fairly, and justly compensate him for injury, damage, and loss, and respectfully prays that this Court enter judgment in his favor and award him past and future economic and non-economic compensatory damages, fringe benefits, consequential damages, incidental damages, punitive damages, interest, all reasonable attorney's fees, costs and expenses, and any additional legal or equitable relief available under law, including, but not limited to, back pay, future losses, reinstatement and promotion.

Respectfully Submitted,

/s/ Claire I. Wade-Kilts
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JURY DEMAND

Plaintiff Brian East demands a trial by jury by the maximum number of jurors permitted.

/s/ Claire I. Wade-Kilts
Claire I. Wade-Kilts (0093174)

Attorney for Plaintiff Brian East